

FILED
IN CLERKS OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION
CASE NO: 1:17-CR-10265-01
U.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA,
Respondent

v.

SALLY ANN JOHNSON,
Petitioner

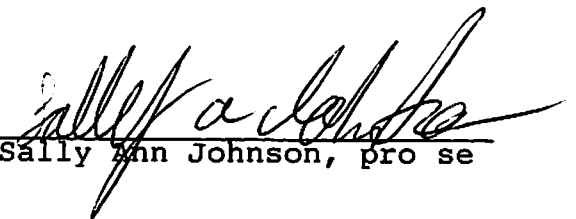
MOTION REQUESTING THAT THIS HONORABLE COURT SET PETITIONER'S PAYMENT SCHEDULE DURING TERM LEFT IN INCARCERATION DUE TO A MATERIAL CHANGE IN PETITIONER'S ECONOMIC STATUS PURSUANT TO 18 USC § 3664 (k)

COMES NOW, petitioner, Ms. Sally Ann Johnson, pro se, humbly and respectfully requesting that this Honorable Court set petitioner's payment schedule while incarcerated due to an economic status change. Petitioner is currently incarcerated at the Federal Prison Camp located in Alderson, West Virginia. This facility is a non-UNICOR facility which does not allow petitioner to make more than \$5.25 per month at her employment. Petitioner's family is no longer able to send petitioner the funds that were previously being provided per month due to an extensive family illness in which petitioner's family is now responsible for paying a percentage of the care that is required. In the instant case, at sentencing, Your Honor required that an immediate payment of restitution be paid while petitioner is incarcerated, which in turn delegated petitioner's payment schedule while incarcerated to the Bureau of Prisons. Pursuant to 18 USC 3664 (k) the sentencing court is able to set a payment schedule while incar-

cerated when the defendant has had a material change in their economic status while incarcerated. Petitioner is requesting that her payments be set at 25.00 dollars per quarter for the duration of her incarceration. Petitioner is due to complete her term of incarceration in 2019 with halfway house and Good Credit time. Petitioner's full term of incarceration expires on January 16, 2020.

WHEREFORE, petitioner is prayerful that pursuant to 18 USC § 3572 (1)(d)(1) that this Honorable Court will set petitioner's payment schedule pursuant to her ability to pay with earnings that she may earn during incarceration due to the economic change in petitioner's material economic status.

Respectfully Submitted,


Sally Ann Johnson, pro se

Pro se litigant(s) pleadings are to be held to a less stringent standard than formal pleadings drafted by lawyers. If the Court articulates that the litigant(s) could be entitled to relief, it should move forward in a favorable manner towards the defendant in doing so. HAINES v. KERNER, 30 LED 2D 652, 404 S. Ct., 519.

CERTIFICATE OF SERVICE

This is to certify that I have served a true and correct copy
of the following :


MOTION REQUESTING THAT THIS HONORABLE
COURT SET PETITIONER'S PAYMENT SCHEDULE
DURING TERM LEFT IN INCARCERATION DUE
TO MATERIAL CHANGE IN ECONOMIC STATUS
PURSUANT TO 18 USC § 3664 (k)

upon the following address by placing same in a sealed envelope
bearing sufficient postage for the delivery via the United States
Mail Service to :

United States Courthouse
(John Joseph Moakley)
One Courthouse Way -Suite 2500
ATTN: Honorable Judge Casper
Boston, MA 02210-3002

which was hand delivered to prison authorities on the grounds of
the Federal Prison Camp, located in Alderson, West Virginia on
this 28 day of February, 2019.

SO SERVED:


Sally Ann Johnson

Litigation is deemed FILED at the time it was delivered to prison
authorities. HOUSTON v. LACK, 101 L. Ed 2d 245 (1988).